

**STATE OF CALIFORNIA
WORKFORCE INVESTMENT ACT (WIA)
WAIVER REQUEST**

**Waiver Relating to Performance Measures for Summer Youth Activities Funded
by WIA and Temporary Assistance for Needy Families (TANF) Emergency
Contingency Fund (ECF)**

The California Workforce Investment Board (State Board) and the Employment Development Department (EDD), as the administrative entity of the WIA, submit this request for a waiver to the use of Common Measures for Youth enrolled in summer employment activities funded either with WIA youth formula allocations or with WIA youth formula allocations in conjunction with TANF ECF monies.

In keeping with the guidelines set forth at WIA Section 189(i)(4)(B) and 20 Code of Federal Regulations Part 661.420(c), please accept the following as a request for waiver.

The State Board respectfully requests a waiver to Common Measures for youth to allow the State to use the work readiness indicator as the only performance measure for youth enrolled in WIA funded summer employment activities, or co-enrolled in WIA and TANF ECF funded summer employment activities. The Common Measures waiver was granted to the State on December 11, 2007 and extended through June 30, 2010. This new waiver request would permit the work readiness indicator to be the sole indicator of performance used during the period of May 1, 2010, through September 30, 2010.

A. Statutory or Regulatory Requirements to be Waived

Common Measures for Youth specified in Employment and Training Agency Training and Employment Guidance Letter 17-05 and approved for use by California on December 11, 2007.

**B. Goals of the Waiver and Expected Programmatic Outcomes if Waiver is
Granted**

Focusing on the work readiness indicator allows the State Board and its local areas to give youth a unique opportunity to explore work experiences that may not be possible without the pooling of WIA and TANF ECF monies.. Without this waiver, the performance requirements would impede the true intent of this summer employment program as concerns over performance would overshadow the great opportunities and choices given to California's youth during these challenging economic times.

Local areas may use a combination of their Program Year (PY) 2010 youth formula allocations, remaining American Reinvestment and Recovery Act (ARRA) youth funds, and TANF ECF funding to provide subsidized summer employment opportunities to youth. Accordingly, TANF agencies are encouraged to pool their resources with local

areas to provide programs for low-income and at-risk youth. The local areas are already able to use the work readiness indicator as the only performance measure for youth enrolled in summer employment activities funded by ARRA. Applying this flexibility to programs funded by WIA or a combination of WIA and TANF ECF will allow local areas to use more of their resources to focus on the critical goal of offering at-risk youth subsidized summer employment activities without creating new administrative burdens.

This waiver is critical, as the youth employment rate has continued to remain extremely low during the current economic downturn. Recent data also suggests that the 2010 summer job market for youth could be the worst in four decades. The ARRA funding for summer youth programs during the summer of 2009 reached large numbers of youth. However, the need still exists for continued outreach and opportunity. If this waiver is granted, the local areas and TANF agencies will be able to expeditiously serve low income participants as well as those with barriers to employment, such as out-of-school youth and those most at risk of dropping out; youth in and aging out of foster care; youth offenders and those at risk of court involvement; homeless and runaway youth; children of incarcerated parents; migrant youth; Indian and Native American youth; and youth with disabilities. The local areas will offer supportive services, occupational skills training, and other relevant services to youth this summer.

C. State or Local Statutory or Regulatory Barriers

There are no State or local statutory or regulatory barriers to implementing the proposed waiver.

D. Description of Individuals Impacted by the Waiver

Youth participants ages 14 to 21 are impacted by this waiver request. In addition, the local areas, local TANF agencies and their business partners that employ the eligible youth will be impacted.

The EDD, in cooperation with the California Workforce Association surveyed California's 49 local areas regarding WIA/TANF youth co-enrollment. Seventeen Local Workforce Investment Boards responded to the survey. The local areas are distributed geographically throughout the State and are representative of the State's diverse regional economies and populations. Following are the survey questions and results:

- An *estimate* of the number of youth that will be co-enrolled in the WIA youth program and in TANF summer youth employment activities during PY 2010.

Of the 17 respondents, nine plan on co-enrolling youth in WIA and TANF summer youth programs, totaling approximately 2,450 youth.

- An *estimate* of the percent of PY 2010 WIA youth program enrollees that will be co-enrolled TANF summer youth employment participants only, and not participate in the WIA youth program beyond summer.

It is estimated that an average of 50 percent of youth co-enrolled in WIA/TANF activities statewide will not participate in the WIA program beyond summer.

Understanding that the response is representative of only one third of California's local areas, these numbers are only estimates and are expected to increase as the summer youth program is implemented in California.

It is anticipated that where these TANF and local area partnerships are formed and operating, both the WIA youth funds and TANF ECF funds will be used to pay wages for youth this summer. Some of these youth will be eligible for both funding sources and may be co-enrolled in both programs. Each youth will meet the eligible criteria for their appropriate funding source (age, eligibility, etc.). Additionally, both WIA and TANF ECF funding will be used to pay youth wages plus contractor costs to run and supervise the youth as appropriate.

The local areas are best positioned to make determinations and assessments of the youth participating in the summer employment opportunities. For those older youth that are not expected to return to school, individual service plans and strategies will be documented and the participants will be enrolled in WIA Adult programs or provided further education and training under WIA youth funded activities.